

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on January 19, 2010.

Commissioner Gover led the Pledge of Allegiance.

Commissioner Gover announced Mayor Cline was absent due to illness.

Mayor Pro-Tem Gover presided and called the meeting to order at 6:30 p.m.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Mayor Pro-Tem Tim Gover, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, Absent Mayor David Cline.

Also physically present were City personnel: Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Police Chief David Griffith, and City Clerk Susan O'Brien.

Commissioner Hall seconded by Commissioner Rankin moved to approve the consent agenda consisting of minutes of the regular meeting January 5, 2010; Fire Department report for the month of December 2009; Annual Fire Report for 2009; bills and payroll for the first half of January, 2010 and HOME Rehab Grant Expenditures.

Bills and payroll for the first part of January, 2010

General Fund

Payroll		\$	238,611.27
Bills		\$	<u>195,933.17</u>
	Total	\$	434,544.44

Hotel Tax Fund

Payroll		\$	1,666.65
Bills		\$	<u>2,439.73</u>
	Total	\$	4,106.38

Festival Management

Bills		\$	<u>3,594.95</u>
	Total	\$	3,594.95

**Insurance & Tort
Judgment**

Bills		\$	<u>267,760.25</u>
	Total	\$	267,760.25

Midtown TIF Fund

Bills		\$	<u>4,800.00</u>
		\$	4,800.00

Capital Project Fund

Bills		\$	<u>181,332.00</u>
		\$	181,332.00

South RT 45 TIF District

Bills		\$	<u>330,000.00</u>
		\$	330,000.00

Water Fund

Payroll		\$	33,905.12
Bills		\$	<u>25,790.09</u>
	Total	\$	59,695.21

Sewer Fund

Payroll		\$	33,162.77
Bills		\$	<u>378,683.13</u>
	Total	\$	411,845.90

Cemetery Fund

Payroll		\$	3,673.46
Bills		\$	<u>2,630.98</u>
	Total	\$	6,304.44

Health Insurance

Bills		\$	<u>57,639.82</u>
	Total	\$	57,639.82

Motor Fuel Tax Fund

Bills		\$	<u>6,829.25</u>
	Total	\$	6,829.25

Revolving Loan

Bills		\$	<u>270.00</u>
	Total	\$	270.00

Mayor Pro-Tem Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Mayor Pro-Tem Gover, YEA Commissioner Hall, YEA Commissioner Rankin, Absent Mayor Cline.

Mayor Pro-Tem Gover opened the floor for public comments and non-agenda items. Mr. Herb Meeker inquired as to the Land Trust representative with Special Ordinance 2010-1374 with Mayor Pro-Tem Gover responding Mr. Keith Summers.

Commissioner Ervin began the discussion on trash hauling by informing the public the reasons for considering the bidding of trash hauling as with other communities which included a savings to the residents, saving the City funds by receiving trash hauling service at no charge, a reduction on wear and tear on streets and alleys, curbside recycling, yard waste pickup, and mandating every resident have trash pickup. He further announced a consensus from the Council and constituents who did not want to dictate their trash hauler or disrespect the Howard family. The potential proposal which was agreed upon by Veolia and Howard's Disposal would include providing trash service to the City at no cost, offering curbside recycling and yard waste pickup to customers at a price set by the trash haulers. Several public attendees, Donald Bean, Verne & Joy Adkins, Craig Whitley, Raymond McKibben, John Mefford, Matthew Casner, Terry Brotherton, voiced their opinions on single haulers and having the right to decide who picks up their trash. Other attendees, Joyce St. Michael, Jackie Record, Dave Scott, Harold Burwell, Melissa Hartik, Doug Nelson, Marge Harlow, Cecilia James, inquired about the impact on City streets, yard waste facilities, impact on City's free trash service, curbside recycling, and fees charged by trash haulers with Commissioner Ervin reiterating his earlier statements regarding trash haulers' determination of conducting business and the City's yard waste facilities remaining open to the public. Positive comments from Kevin Howard were received. Mayor Pro-Tem Gover thanked the public for their participation and opinions.

Mayor Pro-Tem Gover reviewed the regular agenda items. Mr. Harold Burwell inquired as to the funding of TIF projects with Attorney & Treasurer Owen explaining TIF funds were only applicable to TIF projects – not General Fund expenditures.

Mr. Doug Nelson inquired about FutureGen with Mayor Pro-Tem Gover stating an answer to be announced hopefully later this month or next.

Mayor Pro-Tem Gover seconded by Commissioner Hall moved to adopt Special Ordinance 2010-1374, authorizing the Mayor to sign an outright grant agreement by and between the City of Mattoon and Land Trust #440613-70 reimbursing up to \$80,000 over ten years from available Mid-town TIF revenues for façade improvements to a building located at 1610 and 1612 Broadway Avenue.

SPECIAL ORDINANCE NO. 2010-1374

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND LAND TRUST 440613-70 IN CONNECTION WITH THE MATTOON MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Land Trust 440613-70 (the “**Grantee**”), has submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Midtown Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Pro-Tem Gover, seconded by Commissioner Hall, adopted this 19th day of January, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Mayor Pro-Tem Gover,
Commissioner Hall, Commissioner Rankin

NAYS (Names): None

ABSENT (Names): Mayor Cline

Approved this 19th day of January, 2010.

/s/ Tim Gover

~~David W. Cline, Mayor~~ Tim Gover, Mayor Pro-Tem
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O’Brien
Susan J. O’Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality’s Records on January 20, 2010.

Attachment (1) - EXHIBIT “A”

Mayor Pro-Tem Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Mayor Pro-Tem Gover, YEA Commissioner Hall, YEA Commissioner Rankin, Absent Mayor Cline.

Mayor Pro-Tem Gover seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1375, authorizing the Mayor to sign an outright grant agreement by and between the City of Mattoon and Steve Matheny reimbursing up to \$87,000 over ten years from available Mid-town TIF revenues for façade improvements including tuck pointing the exterior

masonry surfaces, roof repairs, replacement of doors and windows to buildings located at 1600, 1602 and 1604 Broadway Avenue and 109 North 16th Street in Mattoon.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2010-1375

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND STEVE MATHENY IN CONNECTION WITH THE MATTOON MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Steve Matheny (the “**Grantee**”), has submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Midtown Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Pro-Tem Gover, seconded by Commissioner Ervin, adopted this 19th day of January, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Mayor Pro-Tem Gover
Commissioner Hall, Commissioner Rankin

NAYS (Names): None

ABSENT (Names): Mayor Cline

Approved this 19th day of January, 2010.

/s/ Tim Gover

~~David W. Cline, Mayor~~ Tim Gover, Mayor Pro-Tem
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O’Brien
Susan J. O’Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality’s Records on January 20, 2010.

Mayor Pro-Tem Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Mayor Pro-Tem Gover, YEA Commissioner Hall, YEA Commissioner Rankin, Absent Mayor Cline.

Mayor Pro-Tem Gover seconded by Commissioner Rankin moved to adopt Special Ordinance 2010-1376, approving the compensation for the Deputy City Clerk.

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2010-1376

AN ORDINANCE ESTABLISHING THE 2009-2010 COMPENSATION FOR THE DEPUTY CITY CLERK OF THE MUNICIPALITY

WHEREAS, the City Council approved the occupancy of the position of Deputy City Clerk at the regularly scheduled December 15, 2009 Council meeting; and

WHEREAS, the Deputy City Clerk is not presently designated in the Compensation Plan of the municipality; and

WHEREAS, the time is now appropriate to establish a rate of pay for the Deputy City Clerk.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The Deputy City Clerk position is to be classified in the E-1 Pay Grade in the City of Mattoon Compensation Plan effective December 16, 2009 and receive the same pay rate comparable positions within the E-1 Pay Grade.

Section 2. To the extent this ordinance conflicts with prior ordinances establishing a compensation plan for the City's employees, the prior ordinances shall control except where specifically amended by this ordinance.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

RECORD OF THE VOTE	Motion	Second	Aye	Nay	Abstain	Absent
Mayor David Cline						X
Commissioner Randy Ervin			X			
Mayor Pro-Tem Tim Gover	X		X			
Commissioner Rick Hall			X			
Commissioner Chris Rankin		X	X			

Approved this 19th day of January, 2010.

/s/Tim Gover

~~David W. Cline, Mayor~~, Tim Gover, Mayor Pro-Tem
City of Mattoon, Coles County, Illinois

ATTEST:

/s/ Susan J. O'Brien

Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:

/s/ J. Preston Owen

J. Preston Owen, City Attorney

Recorded in the Municipality's Records on January 20, 2010.

Mayor Pro-Tem Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Mayor Pro-Tem Gover, YEA Commissioner Hall, YEA Commissioner Rankin, Absent Mayor Cline.

Mayor Pro-Tem Gover seconded by Commissioner Hall moved to recess to closed session at 7:28 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the semi-annual review of closed meeting minutes as mandated by Section 2.06 (5 ILCS 120(2)(c)(d)); the price for sale or lease of property (5 ILCS 120(2)(c)(6)); and employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Council reconvened at 7:41 p.m.

Mayor Pro-Tem Gover seconded by Commissioner Hall moved to adopt Council Decision Request 2010-1049, approving the release of all Executive Session minutes from May 3, 1991 through June 30, 2009, except for May 3, 16, 23, 1991; December 5, 2006; February 17, 2009; April 21, 2009; May 5, 19, 2009; June 9, 2009; August 4, 2009; October 14, 20, 2009; and approving the destruction of Executive Session verbatim records that have been approved for release in written form as follows: March 4, 18, 2008; April 1, 2008; April 15, 2008; May 6, 2008; June 3, 2008; and July 17, 2008.

Mayor Pro-Tem Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Mayor Pro-Tem Gover, YEA Commissioner Hall, YEA Commissioner Rankin, Absent Mayor Cline.

Commissioner Hall seconded by Commissioner Rankin moved to adjourn at 7:42 p.m.

Mayor Pro-Tem Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Mayor Pro-Tem Gover, YEA Commissioner Hall, YEA Commissioner Rankin, Absent Mayor Cline.

/s/ Susan J. O'Brien
City Clerk